

original unbroken packages at New York, N. Y., alleging that the article had been shipped by Jos. Laporte, from Bordeaux, France, arriving on or about November 26, 1923, and that it had been transported from a foreign country into the State of New York, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On March 17, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13246. Adulteration and misbranding of butter. U. S. v. 7 Tubs of Butter. Consent decree of condemnation and forfeiture. Product released under bond to be reprocessed. (F. & D. No. 19800. I. S. No. 13836-v. S. No. E-5136.)

On February 10, 1925, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 7 tubs of butter, remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Minnesota Coop. Creamery Assoc., Duluth, Minn., on or about January 27, 1925, and transported from the State of Minnesota into the State of New York, and charging adulteration and misbranding in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that a substance deficient in butterfat and containing excessive moisture had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality or strength and had been substituted in whole or in part for the said article.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of another article.

On March 23, 1925, the Fosston Cooperative Creamery Assoc., Fosston, Minn., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act, conditioned in part that it be reworked to contain not less than 80 per cent of butterfat and labeled to show the true quantity of the contents.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13247. Adulteration of oranges. U. S. v. 125 Boxes of Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 19575. I. S. No. 21128-v. S. No. W-1640.)

On February 13, 1925, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 125 boxes of oranges, at Tacoma, Wash., alleging that the article had been shipped by the California Fruit Growers' Exchange, from Bryn Mawr, Calif., January 29, 1925, and transported from the State of California into the State of Washington, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "216 2-1/2 Inch Washington Navels Redlands Pride Bryn Mawr Fruit Growers Association Redlands, San Bernardino County, California."

Adulteration of the article was alleged in the libel for the reason that a substance, an inedible product, had been substituted wholly or in part for the said article.

On April 4, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13248. Adulteration of confectionery. U. S. v. the Lauer & Suter Co. Plea of guilty. Fine, \$15 and costs. (F. & D. No. 19607. I. S. Nos. 12645-v, 12646-v, 12647-v.)

On March 23, 1925, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Lauer & Suter Co., a corporation, Baltimore, Md., alleging shipment by said company,

in violation of the food and drugs act, on or about July 17, 1924, from the State of Maryland into the State of Virginia, of quantities of confectionery that was adulterated. The article was labeled variously: "Marshmallow Yellow Bananas Pure Candies The Lauer & Suter Co. Baltimore, Md."; "Marshmallow Perch-120 Pure Candies The Lauer & Suter Co. Baltimore, Md."; and "Lasco Sweets Pure Candies * * * The Lauer & Suter Co. Baltimore, Md."

Analyses by the Bureau of Chemistry of this department of samples from each of the three varieties showed that the said samples contained 0.85 per cent, 0.44 per cent, and 0.6 per cent, respectively, of talc.

Adulteration of the article was alleged in the information for the reason that it contained talc.

On March 31, 1925, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$15 and costs.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13249. Misbranding of cottonseed meal. U. S. v. 197 Sacks of Cottonseed Meal. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 19549. I. S. No. 21293-v. S. No. E-5122.)

On January 30, 1925, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 197 sacks of cottonseed meal, remaining in the original unbroken packages at Bel Air, Md., alleging that the article had been shipped by the Buckeye Cotton Oil Co., from Greenwood, Miss., November 11, 1924, and transported from the State of Mississippi into the State of Maryland, and charging misbranding in violation of the food and drugs act. The article was labeled in part: "100 Lbs. Net Buckeye Prime Cottonseed Meal Manufactured By The Buckeye Cotton Oil Co. General Offices, Cincinnati, O. Guaranteed Analysis Protein 41. per cent Minimum * * * Ammonia 8. Per Cent Minimum Nitrogen 6.50 Per Cent Minimum."

Misbranding of the article was alleged in the libel for the reason that the statement "Guaranteed Analysis Protein 41. Per Cent, Minimum Ammonia 8. Per Cent Minimum Nitrogen 6.50 Per Cent Minimum" was false and misleading and deceived and misled the purchaser.

On March 25, 1925, the Buckeye Cotton Oil Co., Inc., Cincinnati, Ohio, having appeared as claimant for the property, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the said product not be sold nor disposed of until it had been properly labeled and had passed the inspection of this department.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13250. Adulteration of frozen whole eggs. U. S. v. 400 30-Lb. Cans of Frozen Whole Eggs. Decree of condemnation. Product released under bond. (F. & D. No. 19889. I. S. No. 14226-v. S. No. E-5170.)

On March 11, 1925, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 400 30-pound cans of frozen whole eggs, at Boston, Mass., alleging that the article had been shipped by the National Biscuit Co., from New York, N. Y., February 19, 1925, and transported from the State of New York into the State of Massachusetts, and charging adulteration in violation of the food and drugs act. The article was labeled: "N. B. C. Whole."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On April 8, 1925, the National Biscuit Co. having entered an appearance as claimant for the property and having filed a bond in the sum of \$200, in conformity with section 10 of the act, judgment of condemnation was entered, and it was ordered by the court that the product might be released to the said claimant upon payment of the costs of the proceedings.

R. W. DUNLAP, *Acting Secretary of Agriculture.*